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September 25, 2013

**VIA ECF AND HAND DELIVERY**

Honorable Samuel Conti  
United States District Court  
Northern District of California  
Courtroom 1, 17th Floor  
450 Golden Gate Avenue  
San Francisco, California 94123

**Re: *In Re: Cathode Ray Tubes (CRT) Antitrust Litigation*, MDL 1917**

Dear Judge Conti:

Indirect Purchaser Plaintiffs ("Plaintiffs") write regarding the deposition of a Toshiba employee, which begins today, Wednesday, September 25, 2013.

During the deposition of another Toshiba employee, Plaintiffs were forced to call Judge Legge to request his assistance in resolving a dispute regarding defense counsel's improper objections.<sup>1</sup> Plaintiffs request that Your Honor provide some guidance as to how you would like the parties to handle similar disputes during depositions. Plaintiffs propose that Your Honor appoint a Discovery Magistrate to be available during depositions to resolve any such disputes.

It benefits all parties to have a procedure in place to resolve disputes *during* the depositions rather than bringing a motion after the deposition is completed. The majority of the depositions in this case involve foreign witnesses and interpreters, all of whom

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<sup>1</sup> Certain defense counsel have obstructed and delayed many depositions by lodging multiple objections to nearly every question asked and have even instructed witnesses not to answer questions on grounds other than privilege. Despite Judge Legge's admonishment of defense counsel's behavior as "absolutely unreasonable" and clear instructions that objections should be limited "no more than one or two words" per objection, certain defense counsel have continued to lodge multiple objections to nearly every question during subsequent depositions.

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may have to be brought back if the Court later finds that Plaintiffs were improperly deprived of their right to fully question the witnesses.

Accordingly, Plaintiffs respectfully request that Your Honor provide guidance as to how you would like the parties to handle disputes that arise during depositions.

Respectfully submitted,

/s/ Mario N. Alioto  
Mario N. Alioto  
Interim Lead Counsel for the Indirect Purchaser

cc. All Counsel via ECF